

FINAL
COPY

Stillwater County

ORDINANCE NO. 2000-01

Cemetery Road Speed Limit Ordinance

AN ORDINANCE TO ESTABLISH A SPEED LIMIT ON A 5 MILE SECTION OF CEMETERY ROAD IN PARK CITY, STILLWATER COUNTY, MONTANA, AND TO PROVIDE PENALTIES FOR A VIOLATION THEREOF.

WHEREAS, Sections 7-14-2113 and 61-21-101, MCA, grant to the Stillwater County Commissioners the authority to establish a special speed limit on county roads within Stillwater County; to enact ordinances not in conflict with state or federal regulations, and to enforce said ordinances within the jurisdiction of Stillwater County; and

WHEREAS, the Stillwater County Commissioners may set speed limits on a county road without an engineering and traffic investigation pursuant to Section 61-8-310(2), MCA; and

WHEREAS, Cemetery Road in Stillwater County, Montana, is a county road as defined in Section 60-1-103, MCA; and

WHEREAS, lowering the speed limit on a 5 mile section of Cemetery Road beginning at the intersection of Cemetery Road and Valley Creek Road and continuing in a easterly direction approximately 5 miles to the intersection of Cemetery Road and Sportsman Park Road in Stillwater County, Montana, is necessary to reduce the risk of accidents caused by higher speeds and is a more reasonable and safe maximum speed given the conditions of the road in the speed zone area;

NOW THEREFORE, BE IT ORDAINED by the County Commissioners of Stillwater County, Montana, that a special speed limit ordinance on the above described portion of Cemetery Road in Stillwater County be enacted as follows:

1. **Application:**

The special speed limit shall apply to that portion of Cemetery Road beginning at the intersection of Cemetery Road and Valley Creek Road and continuing in a easterly direction to the intersection of Cemetery Road and Sportsman Park Road in Stillwater County, Montana, being approximately 5 miles in length.

2. **Speed Limit:**

The maximum speed limit on that portion of Cemetery Road particularly described above shall be 45 miles per hour, except that section extending approximately three (3) blocks east and (3) blocks west of the intersection of Clark Street shall be 25 miles per hour with a transition of 35 miles per hour gradually increasing to 45 miles per hour. A speed in excess of the speed limit established by this section is unlawful.

3. **Posting:**

The speed limit set by this ordinance shall be posted as required by law or applicable regulation.

4. **Penalties:**

It is a misdemeanor for a person to violate any of the provisions of this ordinance. Each person convicted of a misdemeanor for a violation of any provision of this ordinance shall be fined not less than \$20.00 nor more than \$100.00 for a first conviction. For a second conviction within one (1) year after the first conviction, the person shall be fined not less than \$25.00 nor more than \$200.00. Upon a third or subsequent conviction within one (1) year after the first conviction, the person shall be punished by a fine of not less than \$50.00 nor more than \$500.00.

Date of First Reading and approval: Park Civic Center on May 30, 2000.

Date of Second Reading and approval: Commissioners Chambers June 15 2000.

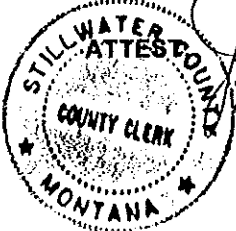
THIS ORDINANCE shall take effect thirty (30) days after the date of Second Reading and approval by the County Commissioners.

**BOARD OF COUNTY COMMISSIONERS,
STILLWATER COUNTY**

By: Charles E. Egan
Charles Egan - Chairman

By: Clifford A. Bare
Clifford A. Bare - Commissioner

By: L. Harold Blattle
L. Harold Blattle - Commissioner


Janet Parkins
Janet Parkins
Clerk and Recorder